

105TH CONGRESS
1ST SESSION

H. R. 1316

To amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 1997

Mr. COLLINS introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DOMESTIC RELATIONS ORDERS.**

4 Section 8705 of title 5, United States Code, is
5 amended—

6 (1) in subsection (a) by striking “(a) The” and
7 inserting “(a) Except as provided in subsection (e),
8 the”; and

9 (2) by adding at the end the following:

1 “(e)(1) Any amount which would otherwise be paid
2 to a person determined under the order of precedence
3 named by subsection (a) shall be paid (in whole or in part)
4 by the Office to another person if and to the extent ex-
5 pressly provided for in the terms of any court decree of
6 divorce, annulment, or legal separation, or the terms of
7 any court order or court-approved property settlement
8 agreement incident to any court decree of divorce, annul-
9 ment, or legal separation.

10 “(2) For purposes of this subsection, a decree, order,
11 or agreement referred to in paragraph (1) shall not be
12 effective unless it is received, before the date of the cov-
13 ered employee’s death, by the employing agency or, if the
14 employee has separated from service, by the Office.

15 “(3) A designation under this subsection with respect
16 to any person may not be changed except—

17 “(A) with the written consent of such person, if
18 received as described in paragraph (2); or

19 “(B) by modification of the decree, order, or
20 agreement, as the case may be, if received as de-
21 scribed in paragraph (2).

22 “(4) The Office shall prescribe any regulations nec-
23 essary to carry out this subsection, including regulations
24 for the application of this subsection in the event that 2

- 1 or more decrees, orders, or agreements, are received with
- 2 respect to the same amount.”.

